

## **REMARKS**

In the Office Action mailed January 23, 2007, the Examiner noted that claims 1-10, 15-29, 33-43, 47, 48, and 51-60 were pending and rejected claims 1-10, 15-29, 33-43, 47, 48, and 51-60. Claims 35-43, 47, 48, 55 and 56 have been amended, no claim is new, thus, in view of the forgoing claims 1-10, 15-29, 33-43, 47, 48, and 51-60 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

### **REJECTIONS under 35 U.S.C. § 112**

Claims 35-47, 48, 55, and 56 stand rejected under 35 U.S.C. § 112, first paragraph as being non-enabling.

In item 24 on page 4 of the current Office Action, the Examiner asserts that claims 35-48, 55 and 56 are "based on a disclosure, which is not enabling" with regard to the term "a mechanically or by chemical action". Claims 35-47, 48, 55 and 56 have been amended to claim "A computer readable storage medium, tangibly embodying a program of instructions executable by a computer." A program stored on a computer readable storage medium that is executed by a computer being well known in the art.

Claims 35-47, 48, 55, and 56 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite.

In item 25 on page 5 of the current Office Action, the Examiner notes "it is not clear what is meant by 'A storage medium readable by a machine ...'". The claims have been amended as indicated above.

Withdrawal of the rejections is respectfully requested.

### **REJECTIONS under 35 U.S.C. § 103**

Claims 1-10, 15-29, 33-43, 47, 48 and 51-56 stand rejected under 35 U.S.C. § 103(a) as obvious over Legall, WIPO/PCT Application No. WO 98/43183 in view of Snyder, U.S. Patent No. 6,643,641.

Legall discusses an internet search tool that allows data to be searched for on the basis of user selected criteria and the search results (URLS) displayed in a window. In contrast, claim 1 is directed to a system of searching for data based on user selected criteria and then further displaying that data in a manner determined by user selectable criteria.

Legall page 11 line 23 through page 12 line 7 states:

Furthermore, in one embodiment, the user is able to change the current broadcast 625 to one of the programs currently broadcast that meet the search criteria. For example, this might be done by selecting a program from the modified EPG. Selection may be achieved a variety of ways. For example, the user may indicate selection by **using a remote control** to enter the station number ID or by **moving the cursor to point to the desired program**. The **system then responds by tuning to the program selected** (the program being one of the programs that meets the search criteria)." (Emphasis added)

Legall therefore discusses a system where a user determines what is displayed in a real-time or live manner. (e.g. by manner of a remote control) Not the **predetermined** manner of the present claims. Further, Legall page 9 lines 22-24 discusses a search criteria, not a criteria for sequencing data retrieved in response to the search criteria. This is made clear in the last line of page 9 and first of page 10 that states "[t]his information can be used to generate the filters used to perform the search." Legall, therefore does not teach or suggest "a sequence determining unit determining a sequence of reproducing a content data searched **based on predetermined parameters** set by a user and a reproduction time of the content data," as in claim 1. (Emphasis added). Additionally, Snyder fails to teach or suggest these features.

As argued, Legall and Snyder do not teach a method of sequencing data, they therefore do not teach or suggest "a reproduction control unit controlling a reproduction of the content data in accordance with the reproducing sequence," as in claim 1.

The features argued above apply as well to claims 15, 34, 25, 48, 51-57 and 60. Therefore, the combination of Legall and Snyder taken separately or combination fail to teach or suggest the elements of claims 1, 15, 34, 35, 48, 51-57 and 60 and the claims dependent therefrom.

As to dependent claim 10, Legall does not teach or suggest outputting consecutively. Therefore, the combination of Legall and Snyder taken separately or combination fail to teach or suggest "said control unit gets a plurality of contents consecutively outputted, which are located by plural pieces of locating information collected."

Withdrawal of the rejections is respectfully requested.

## **REJECTIONS under 35 U.S.C. § 102**

Claims 57-59 stand rejected under 35 U.S.C. § 102(b) as anticipated by Legall. As discussed above, Legall does not teach or suggest that data is displayed in a predetermined

manner. Therefore, Legall does not disclose “determining a sequence of reproducing the content file searched based on predetermined parameters set by a user and a reproduction time of the content data.”

For at least the reason stated above, claim 57 and the claims dependent therefrom are patentably distinguishable from Legall.

Claim 60 stands rejected under 35 U.S.C. § 102(b) as anticipated by Kato, U.S. Patent No. 5,809,512. Kato discusses a method of playing content based on hyperlink information stored within a web page. Kato col. 11 lines 13-20 states

**maintaining a count of elapsed frame numbers of the reference video clip,** further generating the second data transfer commands to begin obtaining from the second data service section the contents of specific subject matter data files of the hypervideo clip at respective times determined in accordance with the the count of frame numbers in conjunction with the scenario data, and continuously supplying the contents to the data display means. [Emphasis added]

Thus, Kato discusses keeping track by a count of elapsed frame number of a video clip. Keeping track of a count is not sequencing. Further, the cited reference does not state that the sequence is based on predetermined parameters. Therefore, Kato as cited does not teach or suggest “storing the locating information in a sequence, the locating information correlating to predetermined file identifier indicating one of a plurality of categories of file identifiers in the extracting, the sequence based on predetermined parameters set by a user and a reproduction time of the content data.”

Withdrawal of the rejections is respectfully requested.

**SUMMARY**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: June 25, 2007

By: /James J. Livingston/  
James J. Livingston  
Registration No. 55,394

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501